

tion 185.1001 to read as follows:

*Sec. 185.1001. APPLICABILITY TO STATE TRUST COMPANY SUBSIDIARIES. This subchapter applies to a subsidiary of a state trust company, a present or former officer, director, manager, managing participant, or employee of a subsidiary, or a controlling shareholder or other person participating in the affairs of a subsidiary in the same manner as the subchapter applies to a state trust company, a present or former officer, director, manager, managing participant, or employee of a state trust company, or a controlling shareholder or other person participating in the affairs of a state trust company.*

SECTION 14. Section 202.005, Finance Code, is amended by adding Subsection (a-1) to read as follows:

*(a-1) The grounds, procedures, and effects of an enforcement proceeding brought under this section apply to a bank holding company, an officer, director, or employee of a bank holding company, or a controlling shareholder or other person participating in the affairs of a bank holding company in the same manner as the grounds, procedures, and effects apply to a state bank, an officer, director, or employee of a state bank, or a controlling shareholder or other person participating in the affairs of a state bank.*

SECTION 15. This Act takes effect September 1, 2015.

Passed by the House on April 30, 2015: Yeas 138, Nays 1, 1 present, not voting;  
passed by the Senate on May 20, 2015: Yeas 31, Nays 0.

Approved June 10, 2015.

Effective September 1, 2015.

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## STANDARDS FOR ELEVATORS, ESCALATORS, AND RELATED EQUIPMENT; AUTHORIZING A FEE

### CHAPTER 423

H.B. No. 3741

#### AN ACT

**relating to standards for elevators, escalators, and related equipment; authorizing a fee.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 754.014(a), Health and Safety Code, is amended to read as follows:

(a) The commission by rule shall adopt standards for the installation, maintenance, alteration, operation, testing, *removal from service*, and inspection of equipment used by the public in:

- (1) buildings owned or operated by the state, a state-owned institution or agency, or a political subdivision of the state; and
- (2) buildings that contain equipment that is open to the general public, including a hotel, motel, apartment house, boardinghouse, church, office building, shopping center, or other commercial establishment.

SECTION 2. Section 754.015(d), Health and Safety Code, is amended to read as follows:

- (d) The executive director may charge a reasonable fee as set by the commission for:
- (1) registering or renewing registration of an elevator inspector;
  - (2) registering or renewing registration of a contractor;
  - (3) applying for a certificate of compliance;
  - (4) filing an inspection report as required by Section 754.019(a)(3), 30 days or more

after the date the report is due, for each day the report remains not filed after the date the report is due;

- (5) submitting for review plans for the installation or alteration of equipment;
- (6) reviewing and approving continuing education providers and courses for renewal of elevator inspector and contractor registrations;
- (7) applying for a waiver, new technology variance, or delay; ~~and~~
- (8) attending a continuing education program sponsored by the department for registered elevator inspectors; *and*
- (9) *applying to remove equipment from service.*

SECTION 3. Section 754.019(a), Health and Safety Code, is amended to read as follows:

(a) The owner shall:

- (1) have the equipment inspected annually by a registered elevator inspector, *unless the equipment has been removed from service in accordance with commission rules*;
- (2) obtain an inspection report from the inspector evidencing that all equipment in a building on the real property was inspected in accordance with this chapter and rules adopted under this chapter;
- (3) file with the executive director each inspection report, and all applicable fees, not later than the 30th calendar day after the date on which an inspection is made under this chapter;
- (4) display the certificate of compliance for the equipment in a publicly visible area as defined by commission rule; and
- (5) maintain the equipment in compliance with the standards and codes adopted under commission rules.

SECTION 4. As soon as practicable after the effective date of this Act, the Texas Commission of Licensing and Regulation shall adopt the rules necessary to implement the changes in law made by this Act.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on April 23, 2015: Yeas 137, Nays 2, 2 present, not voting;  
passed by the Senate on May 20, 2015: Yeas 31, Nays 0.

Approved June 10, 2015.

Effective June 10, 2015.

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## UNAUTHORIZED USE OF AN ALCOHOLIC BEVERAGE PERMIT OR LICENSE; PROVIDING A CRIMINAL PENALTY

### CHAPTER 424

S.B. No. 367

#### AN ACT

**relating to the unauthorized use of an alcoholic beverage permit or license; providing a criminal penalty.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 11.05, Alcoholic Beverage Code, is amended to read as follows:

Sec. 11.05. UNAUTHORIZED USE OF PERMIT. A ~~No~~ permittee may *not* consent